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Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of the Claims:

Claim 1 (Currently amended):   A dry confectionery premix for preparing an aerated confectionery product which premix comprises:

(i)   a carbon dioxide generating composition comprising an acid selected from the group consisting of ~~which is~~ ascorbic acid, succinic acid ~~or~~ and mixtures thereof and a carbonate salt~~which is not a calcium carbonate~~ selected from the group consisting of sodium carbonate, potassium carbonate, sodium bicarbonate, potassium bicarbonate and mixtures thereof, wherein the molar ratio of the amount of acid to carbonate present in the carbon dioxide generating composition is from about 1:2 to about 2:1, ~~and wherein the carbon dioxide generating system does not contain citric acid~~; and

(ii)   a stabiliser;

wherein the type and amount of the acid and carbonate salt are selected such that when the premix is mixed with water to give a final solids content of at least about 20 wt%, an aerated confectionery product is formed which, in the absence of mechanical aeration, ~~having~~has an overrun of at least about 30% and a pH of greater than about ~~5.4~~ 5.8; and wherein the aerated confectionery product is an ice cream.

Claims 2 – 6 (Canceled)

Claim 7 (Previously Presented):   A premix according to claim 1 wherein the carbonate is present in an amount of from about 0.5 wt% to about 3 wt% of the premix.

Claim 8 (Currently Amended): A premix according to claim 1 wherein the type and amount of the acid and carbonate salt are selected such that the aerated confectionery product formed when the premix is mixed with water to give a final solids content of at least about 20 wt%in the absence of mechanical aeration, has an overrun of at least about 70% without using mechanical methods to introduce overrun.

Claim 9 (Previously Presented): A premix according to claim 1 wherein the stabiliser is selected from gums, agar, alginates and derivatives thereof, gelatin, pectin, lecithin, sodium carboxymethylcellulose, carrageenan, furcelleran and mixtures thereof.

Claim 10 (Previously Presented): A premix according to claim 1 which is particulate.

Claims 11-13 (Canceled)

Claim 14 (Currently amended): A method of preparing a confectionery product which method comprises admixing a premix according to claim 1 with an aqueous liquid to give a final solids content of at least about 20 wt% to form an aerated confectionery product which, in the absence of mechanical aeration, has an overrun of at least about 30% and a pH of greater than about 5.4 5.8; wherein the aerated confectionery product is an ice cream.

Claim 15 (Previously Presented): A method according to claim 14 wherein the aerated confectionery product has, in the absence of mechanical aeration, an overrun of at least about 70%.

Claim 16 (Previously Presented): A method according to claim 14 which further comprises chilling the confectionery product to a temperature of below about 6°C.

Claim 17 (Previously Presented): A method according to claim 14 which further comprises freezing the confectionery product to a temperature of below about -6°C.

Claims 18 – 20 (canceled)

Claim 21 (Previously presented): A premix according to claim 1 wherein the acid is ascorbic acid.

Claim 22 (New): A premix according to claim 1 wherein the type and amount of the acid and carbonate salt are selected such that the aerated confectionery product formed when the premix is mixed with water to give a final solids content of at least about 20 wt%, has a pH of greater than about 6.0.

Claim 23 (New): A method according to claim 14 wherein the aerated confectionery product has a pH of greater than about 6.0.